

United States District Court
for
Middle District of Tennessee
Report on Offender Under Supervision

Name of Offender: Austin Michael Evans Case Number: 3:11-00020-02
Name of Judicial Officer: Honorable William J. Haynes, Jr., Senior U.S. District Judge
Date of Original Sentence: July 26, 2013
Original Offense: 21 U.S.C. § 846 Conspiracy to Possess With the Intent to Distribute Cocaine (Lesser Included Offense)
Original Sentence: 60 months' custody and three years' supervised release
Type of Supervision: Supervised release Date Supervision Commenced: April 24, 2015
Assistant U.S. Attorney: Phil Wehby Defense Attorney: Peter J. Strianse

The Court orders:

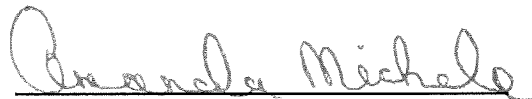
- ☐ No Action Necessary at this Time
☐ Submit a Request for Modifying the Condition or Term of Supervision
☐ Submit a Request for Warrant or Summons
☒ A hearing be scheduled. *for February 23, 2016 at 3:00 pm.*
☐ Other

Considered this 10th day of February, 2016,
and made a part of the records in the above case.



William J. Haynes, Jr.
Senior U.S. District Judge

I declare under penalty of perjury that the foregoing is true and correct. Respectfully submitted,



Amanda Michele
U.S. Probation Officer

Place Nashville, TN

Date February 10, 2016

ALLEGED VIOLATIONS

The probation officer believes that the offender has violated the following condition of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
<u>1.</u>	<u>The defendant will be placed in a halfway house for twenty (20) months as a condition of his supervised release.</u>

All residents living at Diersen Charities' halfway house, must abide by their rules and regulations. Mr. Evans is currently at risk of being removed from the halfway house.

As ordered, Mr. Evans began residency at Diersen Charities on April 24, 2015, and his release is scheduled for December 23, 2016. Since his arrival at the facility, Mr. Evans has incurred multiple incident and/or disciplinary reports from halfway house staff, for not attending employment group, failing to submit employment verification and subsistence payments in a timely manner, returning late to the facility on several occasions, smoking in a prohibited area, failing to obey direct orders by halfway house staff, using his cellular phone at an unauthorized time, and being unaccountable on the halfway house property twice in one evening. Each incident has been addressed by halfway house staff. Mr. Evans has lost privileges and/or been required to perform additional chores at the facility.

Compliance with Supervision Conditions and Prior Interventions:

Austin Michael Evans is currently employed by Equipment Installation, in Goodlettsville, and lives at the federal halfway house, in Nashville, Tennessee. He began his term of supervised release on April 24, 2015, and his supervision is due to terminate on April 23, 2018.

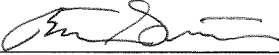
In June 2015, Mr. Evans was referred to Centerstone Mental Health for a substance abuse assessment and treatment. His therapist recommended individual therapy to address his specific needs. Mr. Evans continues to participate in treatment, as recommended. Additionally, he continues to submit to random drug tests and has not tested positive for any illegal substances.

On July 27, 2015, a motion was filed by Mr. Evans' attorney requesting the modification of his special condition of halfway house placement. The Court denied this motion on August 18, 2015.

In regard to the above mentioned violation behavior, the probation officer has met with Mr. Evans, halfway house staff, and the residential re-entry manager, on multiple occasions, in an effort to curb his disruptive behavior and noncompliance within the facility. Each time, Mr. Evans was responsive to the meetings and his demeanor toward his halfway house placement improved, for a short time. The probation officer has also notified Mr. Evans' attorney of his noncompliance behavior.

U.S. Probation Officer Recommendation:

Due to Mr. Evans' continued noncompliance at the halfway house, despite the probation officer's and halfway house staff's efforts, it is respectfully requested that a hearing be held before Your Honor to address his specific condition of halfway house placement. Specifically, Mr. Evans wants a hearing before the Court as he no longer wants to live at the halfway house. His attorney has been made aware of this request. Assistant U.S. Attorney Phil Wehby has been advised of the offender's noncompliance and is in agreement with this recommendation.

Approved: 
Britton Shelton
Supervisory U.S. Probation Officer